

3  
THE STATE OF TEXAS §  
COUNTY OF TARRANT §

AMENDMENT, MODIFICATION  
AND RATIFICATION  
OF LEASE AGREEMENT

FILED  
TARRANT COUNTY TEXAS  
09 APR 29 PM 12:13  
SUZANNE KENNEDY  
COUNTY CLERK

THIS AMENDMENT ("Amendment") shall constitute a part of the Lease Agreement dated September 1, 1983, as amended and assigned, by and between the CITY OF ARLINGTON, TEXAS, a municipal corporation ("Lessor"), and W2005 WYN HOTELS, L.P., a Delaware limited partnership and an entity duly authorized to transact business in Texas ("Lessee"), hereinafter collectively referred to as the "Parties".

W I T N E S S E T H:

I.

By the Lease Agreement (the "Lease") dated September 1, 1983, by and between Lessor and Centrepark Hotel, Ltd., as original lessee, as amended and assigned to Lessee, Lessor leases to Lessee approximately 14.75 acres as specifically set out in the Lease. Lessor and Lessee desire to amend, modify and ratify the Lease as provided below.

II.

It is hereby agreed that the Lease by and between the CITY OF ARLINGTON, TEXAS, as Lessor, and W2005 WYN Hotels, L.P., as Lessee, as amended, is hereby amended and modified by:

(A) That Lease Section 4.02(f) is amended to read as follows:

(f) That Lessee shall do the following:

- (1) Lessee, at its sole expense, shall construct a covered pedestrian walkway between the Convention Center and the Hotel by August 1, 2009 unless a building program is established, by either party, that will provide an integrated connection between the two facilitates. The Lessor shall have the right to approve the design and material for this walkway, such

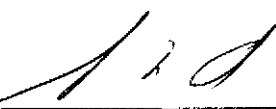
approval not to be unreasonably withheld.

III.

All of the above is incorporated herein for all purposes. All other portions of the Lease as amended, shall remain the same.

IN WITNESS WHEREOF, the parties hereto execute this Amendment.

LESSEE  
W2005 WYN Hotels, L.P.

BY:   
**STEVEN ANGEL**  
Vice President  
Goldman Sachs  
Authorized Agent for W2005  
WYN Hotels, L.P.

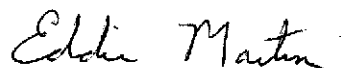
LESSOR  
CITY OF ARLINGTON

BY:   
**TREY YELVERTON**  
Deputy City Manager

ATTEST:



APPROVED AS TO FORM:  
JAY DOEGEY, City Attorney

BY 

NEW YORK  
THE STATE OF TEXAS §  
NEW YORK §  
COUNTY OF TARRANT §

W2005 WYN HOTELS, L.P.  
Acknowledgment

Before me, the undersigned authority, a Notary Public in and for the State of ~~Texas~~ <sup>NEW YORK</sup>, on this day personally appeared **STEVEN ANGEL**, known to me (~~or proved to me on the oath of \_\_\_\_\_ or through \_\_\_\_\_~~) (description of identity card or other document)) to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed same for and as the act and deed of **W2005 WYN HOTELS, L.P.**, an entity duly authorized to transact business in Texas, and as authorized agent thereof, and for the purposes and consideration therein expressed, and in the capacity therein stated.

Given under my hand and seal of office on this the 12 day of January, ~~2008~~. 2009

CHRISTINA DeCICCO  
Notary Public, State of New York  
No. 01DE6192060  
Qualified in Kings County  
Certificate Filed in New York County  
My Commission Expires August 25, 2012

Christina DeCicco  
Notary Public in and for  
The State of ~~Texas~~ <sup>NEW YORK</sup>  
CHRISTINA DeCICCO  
Notary's Printed Name

THE STATE OF TEXAS §  
§  
COUNTY OF TARRANT §

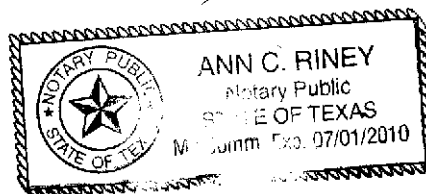
CITY OF ARLINGTON, TEXAS  
Acknowledgment

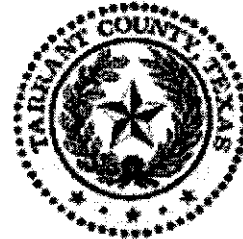
Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared **TREY YELVERTON**, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed same for and as the act of the **CITY OF ARLINGTON, TEXAS**, a Texas municipal corporation, and as Deputy City Manager thereof, and for the purposes and consideration therein expressed.

Given under my hand and seal of office on this the 2<sup>nd</sup> day of February, ~~2008~~. 2009

7/1/10  
My Commission Expires

Ann C. Riney  
Notary Public in and for  
The State of Texas  
Ann C. Riney  
Notary's Printed Name





HIGHGATE HOTELS  
ATTN LORNA KERN  
545 E JOHN CARPENTER FRWY STE 1400  
IRVING TX 75062  
Submitter: DFW RECIRD RESEARCH

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SUZANNE HENDERSON  
TARRANT COUNTY CLERK  
TARRANT COUNTY COURTHOUSE  
100 WEST WEATHERFORD  
FORT WORTH, TX 76196-0401

**DO NOT DESTROY**  
**WARNING - THIS IS PART OF THE OFFICIAL RECORD.**

Filed For Registration: 04/29/2009 12:13 PM  
Instrument #: D209113506  
OPR 4 PGS \$24.00

By: \_\_\_\_\_



**D209113506**

ANY PROVISION WHICH RESTRICTS THE SALE, RENTAL OR USE  
OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR  
RACE IS INVALID AND UNENFORCEABLE UNDER FEDERAL LAW.

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